

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

STAN LABER,

Plaintiff,

vs.

LLOYD J. AUSTIN, *in his official capacity*
as Secretary of Defense,

Defendant.

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Case No. 4:21-cv-01323-MTS

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff’s Motion for Reconsideration, Doc. [10], where Plaintiff asks that the Court reconsider its order granting Defendant’s Motion to Transfer Venue in this case to the United States District Court for the Eastern District of Virginia, Doc. [9]. Plaintiff failed to file an opposition to Defendant’s Motion to Transfer. He argues that he “understood that he [had] 21 days to oppose” the Motion and that he “knows of no local rule . . . that would have shortened that.” Doc. [10] at 1. But Local Rule 4.01(B) plainly states that “each party opposing a motion . . . must file, within fourteen (14) days after service of the motion, a single memorandum containing any relevant argument and citations to authorities on which the party relies.” E.D. Mo. L.R. 4.01(B).

Even if that plain Local Rule were not enough, the Court specifically ordered Plaintiff to respond to the Motion to Transfer by a date certain, a date that has passed and that actually gave Plaintiff *more* time to respond than the Local Rule itself. Doc. [7] (ordering that “Plaintiff shall respond to Defendant’s Motion to Transfer Case . . . no later than January 25, 2022”). Plaintiff disregarded that Order and the Local Rule. And while he is *pro se*, that does not release him from the obligation to follow the Court’s rules and orders. *See In re Harris*, 277 F. App’x 645,

645 (8th Cir. 2008) (noting “even pro se litigants must comply with court rules and directives”) (citing *Soliman v. Johanns*, 412 F.3d 920, 921–22 (8th Cir. 2005)). In addition, and perhaps more importantly, Plaintiff has not put forward any reason in his Motion for Reconsideration regarding how the Court erred or why the Court should not have transferred this case to the United States District Court for the Eastern District of Virginia.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Motion for Reconsideration, Doc. [10], is **DENIED**.

IT IS FURTHER ORDERED that, while this case goes through the administrative process of transfer, Defendant has no obligation to file any response to Plaintiff’s First Amended Complaint, Doc. [11], unless and until directed to do so by the United States District Court for the Eastern District of Virginia.

Dated this 27th day of January, 2022.

A handwritten signature in black ink, appearing to read 'Matthew T. Schelp', written over a horizontal line.

MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE